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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,004	07/27/2001	Stephen Patrick Hack	10017541-1	9944

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

MASKULINSKI, MICHAEL C

ART UNIT PAPER NUMBER

2113

DATE MAILED: 06/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,004

Applicant(s)

HACK ET AL.

Examiner

Michael C Maskulinski

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Non-Final Office Action

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jibbe, U.S. Patent 6,367,033 B1, and further in view of Hill, U.S. Patent 4,542,456.

Referring to claims 1 and 6:

- a. In column 3, lines 7-12, Jibbe discloses a computer system used to evaluate data collected from a source computer system (method of debugging a system by analyzing transactions of a serial intra-system bus).
- b. In column 8, line 67 continued in column 9, lines 1-3, Jibbe discloses that the data captured from the source computer system may involve data frames and/or data packets at various layers of a communication protocol (capturing frames of a serial intra-system bus in a capture data file).
- c. In column 9, lines 3-5, Jibbe discloses template data structures that are developed to package data as data protocol units according to a designated protocol layer (extracting frames from the capture data file).
- d. In the Abstract, Jibbe discloses a bus analyzer used to capture data from a source computer system to diagnose a problem arising in the source computer system. However, Jibbe doesn't explicitly disclose checking frames for out-of-

bounds addresses. In column 13, lines 31-33, Hill discloses range checking capabilities for checking for out of bounds addresses. It would have been obvious to one of ordinary skill at the time of the invention to include checking for out-of-bounds addresses of Hill into the system of Jibbe. A person of ordinary skill in the art would have been motivated to make the modification because a memory has only a specified number of addresses. Any address that lies beyond this number wouldn't have a corresponding location in the memory and would return an error. Therefore, there is a need to detect out-of-bounds addresses to prevent errors.

e. In column 11, lines 38-47, Jibbe teaches decoding an address of frames to identify a particular slave device.

f. In column 12, lines 1-10, Jibbe discloses filtering data transfers involving a particular target ID (tracking state changes indicated in frames with a computer model of the slave device).

g. In column 12, lines 49-65, Jibbe discloses that the macro-level generator may be configured to play back data through the reference system, monitor responses from the reference disk array, and produce an indication signal when a particular event is detected such as an error condition under study (recording state error information when state changes indicated in frames are not permissible state changes of the computer model).

h. In column 3, lines 33-52, Jibbe discloses a computer program embodied on a computer readable medium used to carry out the above method.

Art Unit: 2113

Referring to claims 2 and 7, in column 8, line 67 continued in column 9, lines 1-8, Jibbe discloses that the data captured from the source computer system may involve frames and/or data packets. Template data structures are developed to package data as data protocol units according to a designated protocol layer (the step of assembling packets that are encapsulated in the frames).

Referring to claims 3 and 8, in column 9, lines 36-61, Jibbe discloses comparing responses generated in the reference system to those produced in the source computer system (the step of validating assembled packets).

Referring to claims 4 and 9, in column 12, lines 49-65, Jibbe discloses that the macro-level generator may be configured to play back data through the reference system, monitor responses from the reference disk array, and produce an indication signal when a particular event is detected such as an error condition under study (the step of determining if the state changes are permissible state changes).

Referring to claims 5 and 10, in column 12, lines 49-65, Jibbe discloses that the macro-level generator may also compare template data structure data structures as obtained in the reference system to template data structure data structures obtained in the source computer system and note differences there between (the step of determining if the state changes are permissible state changes is performed by tracking state changes indicated in the assembled packets in a protocol model, and comparing state changes against permitted state changes of the model).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,737,520 Gronlund et al.

U.S. Patent 5,951,661 Tavallaei et al.

US 2002/0004829 A1 Yasunami


US 2002/0186697 A1 Thakkar

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C Maskulinski whose telephone number is (703) 308-6674. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MM


ROBERT BEAUSOLIEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2102